

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2006-298-T - ORDER NO. 2007-299

MAY 3, 2007

IN RE: Application of Thomas Henderson d/b/a	)	ORDER GRANTING
A2B Moving, 2711 Woodruff Road	)	CLASS "E" MOTOR
Simpsonville, SC 29681, for a Class E	)	CARRIER CERTIFICATE
(Household Goods) Certificate of Public	)	OF PUBLIC
Convenience and Necessity for Operation of	)	CONVENIENCE AND
Motor Vehicle Carrier	)	NECESSITY
	)	

This proceeding before the Public Service Commission of South Carolina ("Commission") arises under the authority of S.C. Code Ann. §§ 58-23-210, 58-23-260, and 58-23-330 and is governed by 26 S.C. Code Ann. Regs. 103-130 through 103-134, and 103-821. The purpose of this proceeding is to consider the Application of Thomas Henderson d/b/a A2B Moving ("A2B," or the "Applicant"), who seeks a Class E Certificate of Public Convenience and Necessity, as defined by 26 S.C. Code Ann. Regs. 103-210(1), for statewide authority to move household goods. A2B filed its Application on September 27, 2006. Pursuant to 26 S.C. Code Regs. 103-821(C)(3)(a), in support of its Application, A2B published a Notice of Filing in The State newspaper on October 23, 2006, and filed proof of this publication with the Commission on November 7, 2006. No Petitions to Intervene or Protests have been received.

A hearing on the Application was held on February 7, 2007, at 10:30 a.m. in the offices of the Commission. A2B was represented by Thomas Henderson, the company's founder and President, with Doyle King acting as A2B's witness. The South Carolina

Office of Regulatory Staff (“ORS”) was represented by Wendy Cartledge, Esquire, with George Parker, Manager of its Transportation Department, acting as ORS’ witness.

At the hearing, Henderson testified that he is a partial owner of a storage facility in Greenville, South Carolina and occasionally receives calls from people interested in moving their household goods. In his Application, he seeks statewide authority to operate. In addition, Henderson testified that he will initially use the storage facility’s fifteen foot van for moving goods and is planning to purchase a twenty-six foot van. He further stated that he has no judgments against him and acknowledged that a State Transportation Police Safety Audit must be completed. Coupled with Henderson’s testimony, Doyle King, A2B’s witness and a businessman in the Greenville area, testified both to the need for additional movers and to Henderson’s character.

George Parker, testifying for ORS, stated that the Application was in order except for the tariff proposed by A2B. During his testimony, discrepancies became apparent between the tariff proposed in A2B’s Application and the tariff submitted as an exhibit at the hearing. Apart from the issue with the tariff, however, Parker stated that he conducted an inspection of Henderson’s facility and vehicle and found no deficiencies. He also stated that the insurance quoted in the Application either meets or exceeds all requirements and testified that he has no other concerns about whether the Applicant is fit, willing, and able to perform as a mover of household goods.

At the close of the hearing, the Commission instructed Henderson that a corrected tariff must be received as a late filed exhibit before A2B’s Application could be granted. This corrected tariff and a bill of lading were received on March 30, 2007. The

Commission finds that the corrected tariff is acceptable and also finds that no other deficiencies are apparent in A2B's Application. We conclude that the Applicant has demonstrated that he is fit, willing, and able to operate as a household goods mover between points and places in South Carolina pursuant to S.C. Code Ann. § 58-23-330 (Supp. 2006) and 26 S.C. Code Ann. Regs. 103-133 (Supp. 2006), and that the public convenience and necessity is not already being served by existing authorized service. Therefore, A2B's Application for statewide authority should be granted.

IT IS THEREFORE ORDERED:


1. That the Application of A2B Moving for a Class E Certificate of Public Convenience and Necessity be, and hereby is, approved for A2B to transport household goods between points and places in South Carolina.
2. The Company shall file with the Office of Regulatory Staff the proper insurance, safety rating, and other information required by S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 of the Commission's Rules and Regulations for Motor Carriers, as amended, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.
3. Upon compliance with S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Regs. Vol. 26 (1976), as amended, a Certificate shall be issued by the Office of Regulatory Staff authorizing the motor carrier services granted herein.

4 Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized herein shall not be provided.

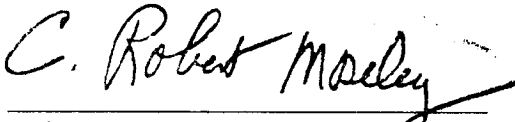
5. Failure of the Applicant either (1) to complete the certification process by complying with the Office of Regulatory Staff requirements of causing to be filed with the Commission proof of appropriate insurance and an acceptable safety rating within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in the Order being revoked.

6. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
G. O'Neal Hamilton, Chairman

ATTEST:

  
Robert C. Moseley, Vice Chairman

(SEAL)